

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

CONSOLIDATED EDISON COMPANY OF  
NEW YORK, INC.,

Plaintiff,

-against-

LEXINGTON INSURANCE COMPANY

Defendant.

Case No. 14-cv-6547-CM-JLC

**DECLARATION OF RICHARD GALLENA**

I, Richard Gallena, declare under penalty of perjury the following:

1. I am a member of the bar of this Court (admitted pro hac vice) and am affiliated with the law firm Orrick, Herrington & Sutcliffe LLP (“Orrick”). I respectfully submit this declaration in support of the motion to withdraw as counsel for Plaintiff Consolidated Edison Company of New York, Inc.
2. As required by Rule 1.4 of the Local Civil Rules of the United States District Court for the Southern District of New York, a description of the posture of the case is as follows: The parties are completing depositions and preparing a joint pre-trial order to be submitted on or before July 21, 2015.
3. On or about June 19, 2015, attorney David Elkind ended his employment with Orrick. Mr. Elkind is currently employed at Lowenstein Sandler LLP and will continue representation of the Plaintiff in this matter.
4. My withdrawal will not delay the proceedings or prejudice any party.
5. On June 24, 2015, Defendant’s counsel communicated that they would not oppose any motion to withdraw as counsel for the Plaintiff.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on June 25, 2015.

By: /s/ Richard Gallena

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